

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VNUS MEDICAL TECHNOLOGIES, INC.

No. C-05-2972 MMC

Plaintiff

v.

DIOMED HOLDINGS, INC., et al.,

Defendants

**ORDER GRANTING IN PART AND
DENYING IN PART JOINT STIPULATED
MOTION FOR ADMINISTRATIVE RELIEF
TO FILE DOCUMENTS UNDER SEAL
(DEFENDANTS' MOTIONS IN LIMINE);
DIRECTIONS TO DEFENDANTS**

Before the Court is the parties' Joint Stipulated Motion for Administrative Relief to File Documents Under Seal, filed October 1, 2007, by which defendants seek leave to file under seal unredacted versions of two motions in limine and certain exhibits offered in support thereof. Having reviewed the Declaration of Mark Kertz, filed October 4, 2007 on behalf of plaintiff, the Court rules as follows:

1. The motion is GRANTED in part, specifically, as to the following documents that plaintiff has shown contain material properly filed under seal:

- a. Defendants' Motion in Limine No. 4;
- b. Exhibit J to the Declaration of Charles T. Steenburg In Support of Defendants' Motion in Limine No. 4; and
- c. Exhibit K to the Declaration of Charles T. Steenburg In Support of

1 Defendants' Motion in Limine No. 4.

2 2. The motion is DENIED in part, specifically, with respect to the following
3 documents, as to which plaintiff has withdrawn its prior designation of confidentiality, (see
4 Kertz Decl. ¶¶ 4, 5):

5 a. Exhibit B to the Declaration of Charles T. Steenburg In Support of
6 Defendants' Motion in Limine No. 4;

7 b. Exhibit L to the Declaration of Charles T. Steenburg In Support of
8 Defendants' Motion in Limine No. 4;

9 c. Exhibit M to the Declaration of Charles T. Steenburg In Support of
10 Defendants' Motion in Limine No. 4;

11 d. Defendants' Motion in Limine No. 7;

12 e. Exhibit C to the Declaration of Charles T. Steenburg In Support of
13 Defendants' Motion in Limine No. 7; and

14 f. Exhibit D to the Declaration of Charles T. Steenburg In Support of
15 Defendants' Motion in Limine No. 7.

16 3. If defendants wish the Court to consider the six documents identified in the prior
17 paragraph, defendants are DIRECTED to file them in the public record no later than
18 October 15, 2007.

19 **IT IS SO ORDERED.**

20
21 Dated: October 11, 2007


MAXINE M. CHESNEY
United States District Judge